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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3066 OF 2007

Sajan Kasam Inamdar and others Petitioners
versus
The Collector, Pune and others Respondents

Mr.P.J.Thorat i/by R.A.Thorat for petitioners.

CORAM : A.S.OKA, J.

DATE : 25th June 2007

PC :

1. By this writ petition under Article 227 of the Constitution, the petitioners-original plaintiffs have taken exception to the order dated 30th March 2007 by which the learned Trial Judge has rejected the application made by the petitioners for appointment of Court Commissioner under Order XXVI, Rule 9 of the Code of Civil Procedure, 1908.

2. The order impugned is purely of interlocutory nature which is capable of being challenged in an appeal which may be preferred by the petitioners against the decree passed in the suit, if the

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said decree is adverse to the petitioners.

3. Subject to what is stated above, the writ petition is rejected.

(A.S.OKA, J.)